KENNEDY KILLING: WHO DID IT?

Published in The Athens Observer, p. 8A (November 17, 1983).

Author: Donald E. Wilkes, Jr., Professor of Law, University of Georgia School of Law.

On Nov. 22, 1963, while riding in an open limousine in a motorcade, John F. Kennedy, 35th president of the United States, was assassinated in Dealey Plaza in downtown Dallas, Tex. In September 1964 the Warren Commission, a body appointed by President Lyndon Johnson to ascertain the circumstances surrounding the assassination and chaired by Chief Justice Earl Warren, delivered its official report. The Warren Commission found that Lee Harvey Oswald, a 24-year old employee of the Texas School Book Depositor, acting alone, killed the president by firing his rifle from a sixth-floor window in the Depository. While in Dallas police custody, Oswald was shot dead by Jack Ruby, a nightclub owner and gangster-type, two days after the Kennedy assassination.

Since 1964 much new information concerning the president's assassination has emerged. Moreover, there have been startling revelations about grave abuses and deception committed by the very federal law enforcement and intelligence agencies on which the Warren Commission relied for information. From 1977 until 1979 a House of Representatives Committee on Assassinations conducted a new official investigation of the death of President Kennedy. Thus, on the 20th anniversary of the assassination, it seems appropriate to re-examine important questions concerning John Kennedy's death. Part One of this article explores some of the questions that have now been answered to my satisfaction. Part Two, to be published next week, addresses some of the still unanswered questions about President Kennedy's assassination.

Were shots fired at President Kennedy's motorcade from more than one location? Yes. In 1978 the House of Representatives Select Committee on Assassinations commissioned two separate sets of scientific experts to investigate whether there was acoustical evidence indicated that more than one gunman was firing at President Kennedy. Both investigations reached the same conclusion: an examination of a police tape recorded by accident at the time of the assassination provides scientific acoustical evidence establishing a high probability that two gunmen fired at the president.

The Assassinations Committee also found, based on other findings made by the same experts, that (1) probably a total of four shots were fired, (2) probably three shots (the first, second, and fourth) were fired from behind and above and from the vicinity of the Texas School Book Depository, and one shot (the third) was fired from the right front in the vicinity of the wood stockade fence atop the grassy knoll, and (3) probably the fatal head shot which killed the president and which vividly appears on frame 313 of the color film taken by Abraham Zapruder was the fourth shot, fired from the Depository.

There is also plenty of eyewitness testimony indicating that more than one assassin was shooting at President Kennedy. It seems incontestable that some of the gunfire came from the Book Depository; several witnesses saw a man armed with some sort of rifle standing behind the window on an upper floor of the Depository, other witnesses actually saw a rifle barrel extending from one of these windows, and literally scores of eyewitnesses testified that shots came from

the Depository. On the other hand, there is ample testimony to the effect that a shot was fired from the vicinity of the grassy knoll: a railroad employee stationed on an overpass in front of the motorcade was positive that he saw a puff of smoke erupt on top of the knoll; a Dallas city policeman who (along with many other persons) raced to the knoll moments after the assassination smelled gunpowder there; and another railroad employee saw suspicious activity on the knoll.

Clearly, therefore, the Warren Commission (which did not know of the existence of the police tape) was wrong when it concluded that all the shots fired at the motorcade came from the sixth floor of the Depository.